

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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KYLE JIGGETTS,

Plaintiff,

-against-

NYC DEPT. OF CITYWIDE ADMINISTRATIVE  
SERVICES, ALLIEDBARTON SECURITY  
SERVICES, LLC, SEIU, LOCAL 32BJ,

Defendants.

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**NOTICE OF MOTION  
TO DISMISS THE  
COMPLAINT**

13 CV 5353 (PAE)

**PLEASE TAKE NOTICE** that upon the Declaration of Ricardo Tapia, Esq., dated August 8, 2013, Notice to Pro Se Litigant Opposing a Motion to Dismiss dated August 8, 2013, the accompanying Memorandum of Law in Support of Defendant NYC DEPT. OF CITYWIDE ADMINISTRATIVE SERVICES (“DCAS”) Motion to Dismiss the Complaint, dated August 8, 2013, and all the papers and proceedings previously had herein, the undersigned will move this Court, before the Honorable Paul A. Engelmayer, United States District Judge, at the United States Courthouse for the Southern District of New York, located at 40 Foley Square, New York, New York 10007, on September 17, 2013, at 10:00 A.M., for an order, pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure, dismissing the Complaint in its entirety against DCAS based on the doctrine of claim preclusion (res judicata) and for failure to state a cause of action, and for an order enjoining Plaintiff from filing any further actions against the City of New York and/or DCAS without leave of the Court.

**PLEASE TAKE FURTHER NOTICE** that answering and opposing papers, if any, shall be served on or before September 3, 2013.

Dated: New York, New York  
August 8, 2013

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By:                     /s/                      
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***MICHAEL A. CARDOZO***

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100 Church Street  
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*Of Counsel: Ricardo Tapia  
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*Due and timely service is hereby admitted.*

*New York, N.Y....., 20...*

*..... Esq.*

*Attorney for.....*